

United States District Court
District of Massachusetts

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 2010-10026-DPW

MATTHEW GERRIN,
Defendant.

*ORDER PURSUANT TO
UNITED STATES V. KING,
818 F.2d 112, 115, footnote 3 (1 Cir.,
1987)*

COLLINGS, U.S.M.J.

The defendant appeared before the undersigned on February 11, 2010. He was represented by counsel. The Government moved for a detention hearing. The defendant is currently serving a state sentence; he has waived his rights under the Interstate Agreement on Detainers. Accordingly, the Court shall continue the detention hearing in the instant case until such time as the defendant is released from his state sentence in accord with the protocol set

forth in *United States v. King*, 818 F.2d 112, 115, footnote 3 (1 Cir., 1987).

I rule that the defendant has waived his right to have a detention hearing at his first appearance in this case. *Id.* It is ORDERED that the detention hearing be, and the same hereby is, CONTINUED GENERALLY. It is FURTHER ORDERED that the defendant be, and he hereby is, DETAINED pending the detention hearing. *See* 18 U.S.C. § 3142 ("During a continuance, the defendant shall be detained...").

Review of the within Detention Order may be had by the defendant filing a motion for revocation or amendment of the within Order pursuant to 18 U.S.C. Sec. 3145(b).

The United States Marshal shall cause a detainer to be filed at the place of the defendant's incarceration if such a detainer has not already been filed

/s/ Robert B. Collings

ROBERT B. COLLINGS
United States Magistrate Judge

February 25, 2010.